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E. D. BALL, *Acting Secretary of Agriculture.*

9365. Misbranding of Parto-Glory. U. S. * * * v. 9 Dozen Bottles of * * * Parto-Glory. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13458. I. S. No. 10058-t. S. No. W-664.)

On August 23, 1920, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 dozen bottles of Parto-Glory, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Partola Distributing Co., New York, N. Y., on April 28 and September 11, 1919, respectively, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of iron, strychnine, quinine, and potassium bromid.

It was alleged in substance in the libel that the article was misbranded in that the labeling thereof contained the following statements, (bottle) “* * * Tonic For The Nerves,” (can) “* * * For The Nerves * * * For Every Form Of Nervous Affliction. * * * used with remarkable success, * * * wherever nerves have been affected, also in afflictions due directly to weakened nerves, such as: run down condition, nervous prostration, melancholia, brain fag, poor memory, shaky hands or knees, tired feeling, * * * nervous dyspepsia, neuralgia, effects of tobacco or alcohol * * *,” (circular) “The Great Upbuilder Of The Nervous System * * * Headaches, Neuralgia, Nervous Twitchings, Irritability, Tired, Run-Down Feeling, Weariness, Lassitude, * * * Loss of Memory * * * Great Wonderful Nerve Tonic * * * strengthening and invigorating * * * when * * * Run-down, Fagged-out, Nervous, Irritable * * * take Parto-Glory, * * * a genuine, powerful nerve tonic, that builds up from the bottom. * * * Parto-Glory contains restoring energies for young men who started off with the idea that nothing could sap the energies of their youth, and who have, therefore, ‘gone the pace of youthful error’ too rapidly. Parto-Glory is a friend in need for men and women who have indulged too freely in the excesses and frivolities of life, and who are alarmed by the evident decline of capacity, ability, and even desire, to take part in the joys of healthy, vigorous, ambitious manhood and womanhood. Parto-Glory is what the drinker needs to steady his nerves, clear his mind, brace him up * * * give him a hold on himself that will aid in his restoration with resistance of such tendencies * * * Parto-Glory is a great help in overcoming the effects of excessive smoking. * * * used with great relief and comfort by women, * * * during certain painful and weakening periods of the month,” which statements were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

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